



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0301
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov


KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-13-49 Various Properties within Atlanta BeltLine Subarea 3

DATE: December 12, 2013

An Ordinance to rezone certain properties within Subarea 3 of the Atlanta BeltLine Planning Area from various districts to various districts to implement the Atlanta BeltLine Master Plan: Subarea 3 (Boulevard Crossing) study.

FINDINGS OF FACT:

- **Property location:** Subarea 3 includes all properties that are within a one-half mile buffer on either side of the Atlanta BeltLine Corridor between Hill Street and Berne Street. Only certain properties within this area are being recommended for rezoning. The properties are located in the Grant Park, Chosewood Park, Boulevard Heights, and Ormewood Park neighborhoods, NPU-W and Y, and Council District 1.
- **Property size and physical features:** Approximately 43 properties are recommended for rezoning. The properties range in size from less than one acre to greater than 13 acres. The physical features of the properties are quite varied.
- **CDP land use map designation:** The various properties have land use designations of Mixed Use, High Density Mixed Use, Low Density Mixed Use, High Density Residential, Medium Density Residential, and Low Density Residential.

- **Current/past use of property:** The various properties have a wide range of current and past uses. Several properties have an active use in a re-purposed industrial building including a film studio and tool bank. Several large sites were previously multi-family residential that have been demolished within the past six years, resulting in vacant land. In other locations, the parcels are utilized as low density garden apartments constructed during the 1960s and 70s. Several parcels are vacant or deeply under-utilized former industrial properties.
- **Surrounding zoning/land uses:** The various properties are surrounded by a wide range of zoning districts and land uses. Several of the sites are adjacent to single family detached neighborhoods and R-4 or R-5 zoning. Other sites are adjacent to Boulevard Crossing Park or the Atlanta BeltLine Corridor.
- **Transportation system:** The various parcels are served by numerous MARTA bus routes and planned Atlanta BeltLine streetcar service. Arterial and collector streets serving the study area include Boulevard, Cherokee Avenue, Confederate Avenue, and Englewood Avenue.

PROPOSAL:

The planning process for Atlanta BeltLine Master Plan Subarea 3 (Boulevard Crossing) began in 2007 and the plan was adopted in 2009 (Ordinance 09-O-0128). The land use recommendations included in the master plan focus on creating relatively dense, transit- and park-oriented development nodes. The nodes are planned to include a mix of retail, residential, and employment and strategic pockets of light industrial and office space organized around a grid of new complete streets and future streetcar stops.

The zoning recommendations included in this rezoning case are drawn directly from the Subarea Master Plan. The master plan and zoning changes support a higher density mixed use area around Boulevard Crossing Park (Tracts 1, 2, and 5). The zoning changes in Tracts 3, 8, and 9 implement the master plan recommendations to transition from more suburban, extensive garden style apartments to more urban townhome and apartment redevelopment organized around a grid of streets. The remaining changes in Tracts 4, 6, and 7 support general redevelopment of deeply underutilized property consistent with the master plan recommendations.

CONCLUSIONS:

(1) Compatibility with Comprehensive Development Plan (CDP); timing of development:

The existing land use for a majority of the properties proposed for rezoning is compatible with the proposed zoning districts therefore no amendments to the Comprehensive Development Plan are required for these properties. There is a pending companion CDP change affecting Tracts 1 and 2 from Medium Density Mixed Use to High Density Mixed use to ensure consistency with the zoning recommendations.

There are no known public projects or programs which would conflict with the timing of this proposed rezoning or subsequent developments.

(2) **Availability of and effect of public facilities and services; referral to other agencies:**

Many of the properties are located in long established neighborhoods which leads staff to the opinion that water and sewage facilities are available and adequate for the redevelopment of the property.

The capacity of the sewer system to accommodate any proposed redevelopment would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. During this review, tie-in to specific sewer lines would be determined, as well as any necessary improvements to the sewer line that would lie within boundaries of the development site.

There has been no indication from review agencies and departments that there would not be adequate public facilities and services within the rezoning area.

(3) **Availability of other land suitable for proposed use; environmental effect on balance of land uses:** The zoning regulations indicate that this consideration is optional. However the proposed zoning districts would be suitable based on the adopted Atlanta Beltline Subarea 3 Master Plan and should have a positive environmental effect on the balance of land uses.

(4) **Effect on character of the neighborhood:** No specific development is proposed. However, the proposed zoning districts are compatible with the adopted policies and proposed zoning districts in the adopted Atlanta BeltLine Subarea 3 Master Plan. Therefore when development does occur the effect on the character of the neighborhood is anticipated to be positive. Further, the proposed zoning recommendations, if adopted, will introduce unified setbacks, new street, streetscape, and landscaping that would benefit the overall character of the neighborhoods.

(5) **Suitability of proposed land use:** Staff is of the opinion that the proposed request to rezone the property would be compatible with surrounding zoning and land uses.

(6) **Effect on adjacent property:** The proposed rezoning will support the redevelopment of many currently vacant and deeply underutilized properties that will have a positive effect on adjacent properties.

(7) **Economic use of current zoning:** Staff does not feel that the existing vacant underutilized property has a significant economic use far above and beyond the value of a development proposal under the proposed zoning districts. All of the properties with an active commercial use shall remain legal conforming uses under the proposed zoning districts.

(8) **Tree Preservation:** Upon submittal of permits to the Office of Buildings, future redevelopment proposals will be subjected to the tree ordinance.

STAFF RECOMMENDATION: APPROVAL subject to the following conditions:

1. **Scope of provisions:** Any property wherein sixty percent or greater of the principal building is removed or destroyed by any means shall be redeveloped in accordance with the requirements shown below, notwithstanding (1) drive-through service windows and drive-in facilities and (2) any other provisions in Part 16, Chapter 24 to the contrary.
2. **Storefront Streets and Façade Requirements:**
 - a) The following street segments shall be defined as a Storefront Street:
 - i. Englewood Avenue between Mailing Avenue and Boulevard
 - ii. Boulevard between the Atlanta BeltLine Corridor and Schuyler Avenue
 - b) Such Storefront Streets shall meet the following requirements:
 - i. Site Restrictions: Drive-through service windows and drive-in facilities are prohibited as either a principal or accessory use.
 - ii. The Storefront Treatment and resulting Storefront Space shall be occupied by a retail, eating or drinking, office, medical/health, education, child care, or institutional use. Residential uses are prohibited within Storefront Space, however, the following active uses, when accessory to a multi-family residential use, are permitted: lobby, leasing office, meeting or assembly space, or indoor recreation space. Relief from this provision (1.b.) may be granted through administrative variation in cases (1) of hardship, (2) where complying would exceed the non-residential FAR limit, or (3) where full compliance is impractical due to the shape or size of the parcel relative to the intended use.
 - iii. Supplemental zones, as defined in Sec. 16-36.007(9), shall be hardscaped for pedestrian to access for a minimum of 75 percent of its area excluding cutouts for tree wells with any such trees to be limbed up to a minimum height of seven feet.
 - iv. Fenestration and entrances shall be provided for a minimum of 65 percent of the horizontal length of each façade as further described in Sec. 16-36.014(7) and shall allow visibility into the building for a minimum depth of 10 feet as measured from the interior windowpane and shall be internally illuminated and serviced by electricity.
 - v. Floor-to-ceiling height shall be a minimum of 12 feet as measured vertically from the ground floor to the structural ceiling, not including drop ceilings or other interior ceiling treatments within the sidewalk-level floor space for a minimum depth of 20 feet.
 - c) The following materials are prohibited: Exposed pressure-treated wood, vinyl siding, vinyl railing, solid vinyl windows, and exterior insulation finished systems (EIFS).
 - d) Building facades visible from a public right-of-way or a park larger than two acres shall be either brick, stone, cast stone, metal, poured-in-place concrete, hard-coat stucco, or smooth cementitious siding; however, such smooth cementitious siding shall not exceed 35 percent of any façade. All windows on such facades shall include window frames that are recessed a minimum of two inches, except at recessed balcony conditions.

3. **Building Intensity and Heights:**

- a) Structures or portions of structures that are within 60 feet of the Boulevard or Confederate Avenue right-of-way shall have a maximum height of 52 feet.
- b) Structures or portions of structures that are within 60 feet of any R-1 through R-5, RG-1, RG-2, MR-1, MR-2, or PD-H district, or a park larger than two acres without an intervening street shall have a maximum height of 52 feet.
- c) Structures or portions of structures that are located within “Tract 1” and “Tract 2” on Attachment “A” shall have a maximum height of 110 feet.

4. **Exterior Lighting:**

- a) All exterior lighting, including lighting in parking decks and parking lots, shall utilize full cutoff luminaires.
- b) Exterior up-lighting shall be prohibited.

5. **Restricted Uses:**

- a) The following establishments are prohibited as a principal use:
 - i. New and used car sales, including other motorized vehicles such as mopeds and motorcycles.
 - ii. Park-for-hire parking decks.
 - iii. Park-for-hire surface parking lots.
 - iv. Mixed-use storage facilities.
 - v. Truck stops.
- b) The following establishments shall be permitted subject to the following conditions:
 - i. Where a lot in this district abuts a lot, or is within 100 feet of a lot, in any R-1 through R-G, MR, RLC or PD-H district without an intervening street, such lot within this district shall not be used for any drive-through service window or drive-in facility as either a principal or accessory use.
- c) The following uses shall require a Special Use Permit (SUP):
 - i. Clubs and lodges.
 - ii. Mortuaries and funeral homes.
 - iii. Automobile service stations, car washes.
 - iv. Repair garages, paint and body shops.

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-13-50 f or Various Properties within BeltLine Subarea 5

DATE: December 12, 2013

An Ordinance to rezone certain properties within Subarea 5 of the Atlanta BeltLine Planning area from various districts to various district to implement the Atlanta BeltLine Master Plan: Subarea 5 (Freedom Parkway) study.

FINDINGS OF FACT:

- property location: Subarea 5 includes all properties that are within a one-half mile buffer on either side of the BeltLine between Ponce de Leon Avenue on the north and DeKalb Avenue on the south. Only certain properties within this area are being recommended for rezoning. The properties are located in the Old Fourth Ward and Poncey Highland neighborhoods and are in NPU-N and M and Council District 2.
- property size and physical features: The properties vary in size and shape and are mostly developed with non-residential uses.
- CDP land use map designation: The various properties have land use designations of Low Density Commercial, Mixed Use, Low and Medium Density Mixed Use and Medium Density Residential
- current/past use of property: Over the years the various properties have been used for residential, non-residential and industrial purposes.
- surrounding zoning/land uses: A majority of the properties are adjacent to residential zoning classifications and uses. Some are also adjacent to the BeltLine corridor.
- transportation system: The major roads serving the area are Ponce de Leon Avenue, North Avenue, Freedom Parkway, Dekalb Avenue, Boulevard and Glen Iris Drive. The east-west MARTA rail line runs parallel to DeKalb Avenue and a high concentration of bus routes serve the

area. A multi-use trail runs along Freedom Parkway and the Eastside BeltLine trail is completed from Piedmont Park (Subarea 6) to Irwin Street/Lake Avenue in Subarea 5.

PROPOSAL

The planning process for BeltLine Subarea 5 (Freedom Parkway) began in 2007 and the Master Plan was adopted in 2009 (Ordinance 09-O-0129). The recommendations are intended to reinforce the general goals of the plans including the protection of existing single family neighborhoods, placement of high density development close to transit stops, maximizing accessibility to BeltLine transit, minimizing impacts of the BeltLine transit, and emphasizing pedestrian connectivity wherever possible. Subarea 5 is within the Northeast study group of the Atlanta BeltLine and the Planning Committee for Subarea 5 consisted of neighborhood representatives, non-profit organizations and business interests in the Subarea.

Master plans for the Old 4th Ward and Poncey Highland neighborhoods were developed in a parallel effort and were adopted in 2008 and 2010 respectively. Property owners, business owners and other stakeholders participated in these processes. Current land use designations were adopted based on one of the three adopted Master Plans (Subarea 5 (Freedom Parkway), Old 4th Ward and Poncey Highland).

Since the Master Plan for Subarea 5 was adopted a large amount of redevelopment has occurred within the Subarea, particularly within the area surrounding Historic Fourth Ward Park and on the eastern edge of the BeltLine. Furthermore the redevelopment of Ponce City Market, the former Sears and Roebuck building, is well underway. As mentioned above the eastside BeltLine trail is completed from Piedmont Park (Subarea 6) to Irwin Street/Lake Avenue in Subarea 5.

Prior to commencement of the rezoning process, all three Master Plans (BeltLine Subarea 5 (Freedom Parkway), Old 4th Ward and Poncey Highland) were consulted and a windshield survey of the properties was conducted to evaluate the potential of creating non-conforming uses. It is interesting to note that two industrial areas are not proposed for a change of zoning classification, but rather the maintenance of the existing zoning classification with the inclusion of conditions. This approach was taken to assist in promoting the vision for the Atlanta BeltLine.

The community engagement process began in June 2013 with presentations at local neighborhood meetings in the Old 4th Ward, Poncey Highland and Inman Park. Following these meetings presentations were made at the NE Study Group (August 8th and September 12th), Property Owners Open House (August 28th), NPU-M (September 23rd and October 28th) and NPU-N (September 26th, October 28th and November 26th).

The following properties are being proposed for rezoning:

From C-2/BL to MRC-2-C/BL

Tract 1 (from Parkway Drive on the west to Glen Iris on the east fronting on Ponce de Leon Avenue); **Tract 5** (fronting on the north side of John Wesley Dobbs Avenue and adjacent to the BeltLine on the west side); **Tract 6** (fronting on the south side of John Wesley Dobbs Avenue and adjacent to the Beltline on the west side) ; **Tract 8** (fronting on the north side of Edgewood Avenue to the Edgewood overpass on the east); **Tract 11** (at the southwest corner of Glen Iris Drive and Winton Terrace); **Tract 12** (at the southeast corner of Glen Iris Drive and Dallas Street). These tracts are developed with commercial and residential uses but, primarily commercial uses.

From C-1/BL to MRC-2-C/BL

Tract 2A (fronting on the south side of Ponce de Leon Avenue from approximately Ponce de Leon Terrace to just beyond Somerset Terrace on the east); **Tract 2B** (fronting on the south side of Ponce de Leon Avenue adjacent to the east side of the BeltLine, also fronts on North Avenue; **Tract 3** (fronting on the south side of Ponce de Leon just before Barnett Street to Frederica Street on the east); **Tract 10** (fronting on the south side of North Avenue at the southwest corner of Glen Iris Drive). These tracts are developed with commercial and residential uses but, primarily commercial uses.

From I-1-C/BL to MR-4A/BL

Tract 4 (block bounded by Ralph McGill Blvd on the north, East Avenue on the south, Fortune Street on the east and Glen Iris Drive on the west) is developed with one building that has historically been used for industrial purposes.

From I-2/BL to MRC-2-C/BL

Tract 7 (fronting on the north side of Irwin Street and the east side of Sampson Street adjacent to the BeltLine on the west); **Tract 9** (fronting on the north side of Edgewood Avenue at the Edgewood Overpass) is developed with eating and drinking establishments and Tract 9 is developed with a self storage facility.

From I-1/BL to MRC-3-C/BL

Tract 13 (fronting on the south side of Ranking Street and the north side of Angier Avenue west of the BeltLine) is developed with office and wholesale uses.

From I-1/BL to I-1-C/BL

Tract 14 (at the southeast corner of North Avenue and Somerset Terrace; also frontage on Angier Springs) is developed with commercial, industrial and eating and drinking uses.

From I-2/BL to I-2-C/BL

Tract 15 (at the southwest corner of Ralph McGill Blvd. and Ensley Street; frontage also on east side of Ashley Ave. and the north side of Willoughby Way) is developed with an industrial use and vacant property.

From MRC-3-C/BL to MRC-3-C/BL

Tract 16 (fronting on the east side of Airline Street at Edgewood Avenue) is a vacant parcel.

CONCLUSIONS:

(1) Compatibility with comprehensive development plan (CDP); timing of development:

The existing land use for a majority of the properties proposed for rezoning is compatible with the existing land use therefore no amendment to the Comprehensive Development Plan is required. However, Tracts 14 and 15 have a mixed use land use designation and an amendment to industrial is required to allow conditions to be placed on these properties.

There are no public projects or programs with which the timing of the project would conflict.

(2) Availability of and effect of public facilities and services; referral to other agencies:

Since these areas are located in long established neighborhood, water and sewage facilities serving the property are assumed to be adequate for the proposed development.

The capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. During this review, tie-in to specific sewer lines would be determined, as well as any necessary improvements to the sewer line that would lie within boundaries of the development site.

There has been no indication from review agencies and departments that there would not be adequate public facilities and services at the subject location.

(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:

The zoning regulations indicate that this consideration is optional. However the proposed zoning districts would be suitable based on the adopted Beltline Subarea 5 Master Plan and should have a positive environmental effect on the balance of land uses.

(4) Effect on character of the neighborhood: No specific development is proposed. However the proposed zoning districts are compatible with the adopted policies of and the adopted BeltLine Subarea 5 (Freedom Parkway) Master Plan. Therefore when development does occur the effect on the character of the neighborhood should be positive.

(5) Suitability of proposed land use: An amendment to Industrial for Tracts 14 and 15 is suitable. No other land use amendments are proposed.

(6) Effect on adjacent property: When development occurs on any of these properties the zoning conditions take into consideration impacts on particularly single family and two family zoned properties to ensure no adverse effect will occur. Other adjacent properties have similar zoning in place, therefore the effect on adjacent property should be positive as development occurs.

(7) Economic use of current zoning: While the current zoning districts have some economic use the proposed zoning districts would be a better use of the land, complement existing developments in the area and ensure the properties within BeltLine Subarea 5 (Freedom Parkway) are developed in accordance with the adopted Master Plan.

(8) Tree Preservation: The City of Atlanta's Tree Ordinance will govern the development of the site in regards to tree preservation.

STAFF RECOMMENDATION: APPROVAL of a substitute ordinance conditioned upon:

1. **Scope of provisions:** Any property wherein sixty percent or greater of the principal building is removed or destroyed by any means shall be redeveloped in accordance with the requirements shown below, notwithstanding (1) drive-through service windows and drive-in facilities and (2) any other provisions in Part 16, Chapter 24 to the contrary.

FOR PROPERTIES IN THE MRC-2-C and MRC-3-C DISTRICT DESIGNATION:
Storefront Streets and Façade Requirements:

1. The following street segments shall be defined as a Storefront Street:
 - a. Tract 1- Ponce de Leon Avenue frontage from Parkway Drive to Boulevard including parcel 64; and Ponce de Leon Avenue frontage from Boulevard to Kennesaw Avenue; northwest corner of Ponce de Leon and Glen Iris Drive;
 - b. Tract 2a & b- Ponce de Leon Avenue frontage from the BeltLine corridor to Somerset Terrace and parcels 16, 17, and 18;
 - c. Tract 3- Ponce de Leon frontage from Freedom Parkway to Linwood Avenue; and Ponce de Leon frontage from Linwood Avenue to and including parcel 72;
 - d. Tract 7- Irwin Street frontage;
 - e. Tract 8- Edgewood Avenue frontage;
 - f. Tract 9- Edgewood Avenue frontage;
 - g. Tract 16- Edgewood Avenue frontage;
 - h. Tract 10- southwest corner of North Avenue and Glen Iris Drive including parcels 49 and 50;
 - i. Tract 11- Glen Iris Avenue frontage;
 - j. Tract 12- Glen Iris Avenue and Dallas Street frontage.

Such Storefront Streets shall meet the following requirements:

- a. Site Restrictions: Drive-through service windows and drive-in facilities are prohibited.
- b. The Storefront Treatment and resulting Storefront Space shall be occupied by a retail, eating or drinking, office, medical/health, education, child care, or institutional use. Residential uses are prohibited within Storefront Space, however, the following active uses, when accessory to a multi-family residential use, are permitted: lobby, leasing office, meeting or assembly space, or indoor recreation space. Relief from this provision (1.b.) may be granted through administrative variation in cases (1) of hardship, (2) where complying would exceed the non-residential FAR limit, or (3) where full compliance is impractical due to the shape or size of the parcel relative to the intended use.
- c. Supplemental zones, as defined in Sec. 16-36.007(9), shall be hardscaped for pedestrian to access for a minimum of 75 percent of its area excluding cutouts for tree wells with any such trees to be limbed up to a minimum height of seven feet.
- d. Fenestration and entrances shall be provided for a minimum of 65 percent of the horizontal length of each façade as further described in Sec. 16-36.014(7) and shall allow visibility into the building for a minimum depth of 10 feet as measured from the interior windowpane and shall be internally illuminated and serviced by electricity.
- e. Floor-to-ceiling height shall be a minimum of 12 feet as measured vertically from the ground floor to the structural ceiling, not including drop ceilings or other interior ceiling treatments within the sidewalk-level floor space for a minimum depth of 20 feet.

2. The following materials are prohibited: Exposed pressure-treated wood, vinyl siding, vinyl railing, solid vinyl windows, and exterior insulation finished systems (EIFS).
3. Building facades visible from a public right-of-way or a park larger than two acres shall be either brick, stone, cast stone, metal, poured-in-place concrete, hard-coat stucco, or smooth cementitious siding; however, such smooth cementitious siding shall not exceed 35 percent of any façade. All windows on such facades shall include window frames that are recessed a minimum of two (2) inches, except at recessed balcony conditions.

Building Intensity and Heights:

1. Structures or portions of structures that are within 60 feet of any R-1 through R-5, RG-1, RG-2, MR-1, MR-2, or PD-H district, or a park larger than two acres without an intervening street shall have a maximum height of 52 feet.
2. All other building heights shall meet the following regulations:
 - a. Structures or portions of structures that are located within "Tract 1" on Attachment "A" shall have a maximum building height of 100 feet.
 - b. Structures or portions of structures that are located within "Tract 2b" on Attachment "A" shall have a maximum building height of 185 feet.
 - c. Structures or portions of structures that are located within "Tract 10" Attachment "B" shall have a maximum building height of 100 feet.
 - d. All other tracts shall be limited in height pursuant to the applicable zoning regulations.

Restricted Uses:

1. The following uses are Prohibited as a principal use:
 - a. New and used car sales. This is not to be construed to include other motorized vehicles such as mopeds and motorcycles.
 - b. Park-for-hire parking decks.
 - c. Park-for-hire surface parking lots.
 - d. Mixed-use storage facility
 - e. Truck stops.
2. The following uses shall be permitted subject to the following conditions:
 - a. Personal service establishments (hair salons, barber shops, beauty supply, beauty school, nail salons, and similar uses) shall be separated by a minimum distance of 200 feet as measured from property line to property line from any similar establishment, with an exception that two or more such establishments within the same parcel shall be allowed.
 - b. Where a lot in this district abuts a lot in any R-1 through R-G, MR, RLC or PD-H district without an intervening street, such lot within this district shall not be used for any drive-through service window or drive-in facility as either a principal or accessory use.
3. The following uses shall require a Special Use Permit (SUP):
 - a. Clubs and lodges.
 - b. Mortuaries and funeral homes.
 - c. Eating and drinking establishments that receive an alcohol license as a nightclub.
 - d. Automobile service stations, car washes.
 - e. Repair garages, paint and body shops.

FOR PROPERTIES IN THE I-1-C and I-2-C DISTRICT DESIGNATION:

Building Heights:

1. Maximum Building Height shall be 110 feet
 - i. Structures or portions of structures that are within 60 feet of any R-1 through R-5, RG-1, RG-2, MR-1, MR-2, or PD-H district, or a park larger than two acres without an intervening street shall have a maximum height of 52 feet.

Restricted Uses:

1. The following uses are prohibited:
 - a. Municipal solid waste disposal facility.
 - b. Park-for-hire surface parking lots.
 - c. Solid waste handling facility.
 - d. Sales and leasing agencies for new and used passenger automobiles.
 - e. Terminals, freight, rail bus or truck, when erected or operated other than by a governmental agency.
 - f. Self storage facilities.
 - g. Truck stops.
 - h. Junkyards, salvage yards (including automobile), scrap metal processors and similar operations.
2. The following uses shall require a Special Use Permit:
 - a. Individual retail establishments, including those with sales or display lots or storage lots, greater than 20,000 square feet of floor area.
 - b. Repair garages, paint and body shops. (Welding shops and blacksmith shops are permitted).
 - c. Service stations; car washes.

c: James Shelby, Commissioner, DPC



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov


KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director
Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-13-44 for 720 Donald Lee Hollowell Parkway and
646, 648, & 652 Echo Street, N.W.

DATE: December 12, 2013

An Ordinance to rezone from the I-1 (Light Industrial) and R-4A (Single Family Residential) to the C-2 (Commercial Service) District for property located at 720 Donald Lee Hollowell Parkway and 646, 648, and 652 Echo Street, N.W.

The applicant needs additional time to discuss this application with the neighborhood, Neighborhood Planning Unit and Staff.

STAFF RECOMMENDATION: 60-DAY DEFERRAL-FEBRUARY 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov


KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-12-36 for 3519 Roxboro Road, NE

DATE: December 12, 2013

The applicant seeks a rezoning of the property, from **R-3 (Single Family Residential)** to **PD-H (Planned Development-Housing)** for a new development composed of 4 single-family detached dwellings for the property located at **3519 Roxboro Road, NE**.

At the applicant's request, Staff has recommended a deferral in order to allow for additional time to work with the community and city staff.

STAFF RECOMMENDATION: 60 DAY DEFERRAL – FEBRUARY 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-13-30 for 1875-1901 Peachtree Road, N.E.

DATE: December 12, 2013

An Ordinance to rezone from the C-3 (Commercial Residential), C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) Districts to the C-3-C (Commercial Residential-Conditional) and R-4 (Single Family Residential) Districts for property located at 1875, 1891, 1895 and 1901 Peachtree Road, N.E.

The applicant provided a letter dated September 12, 2013 withdrawing the request to rezone the rear portion of the site zoned R-4 and only seek to request rezoning/change of conditions for the C-3 and C-3-C zoned portions of the site.

FINDINGS OF FACT:

- **Property Location:** The subject property fronts approximately 308 feet along the east side of Peachtree Road at the intersection of Collier Road at approximately 404 feet north of the intersection of Peachtree Road and Palisades Road, The property is located in the Brookwood Hills neighborhood of NPU-E in Council District 7.
- **Property Size and Physical Features:** The subject property is an assemblage of four (4) parcels consisting of about 3.25 acres currently developed with multiple one and two story commercial buildings. The property has significant topography and vegetation including mature trees in the rear of the site including over a 20 foot grade drop and many mature trees. The majority of the center of the property is held by a retaining wall having surface parking and near Peachtree Road only has a gentle grade rising from south to north along Peachtree Road having existing buildings and surface parking with little vegetation.

- **CDP Land Use Map Designation:** The current land use category is split with High-Density Commercial Land Use in the front along Peachtree Road and Single-Family Residential to the northeast (rear). The proposed change of conditions for the C-3-C and C-3 zoning is an appropriate land use category under the High-Density Commercial designation in the CDP.
- **Current/Past Use of Property:** The property is currently developed with a drive-thru restaurant (Chick-fil-A), a beer/wine store (Peachtree Road Liquor Store), commercial billboard, a laundry (Peachtree Cleaners and Laundry) and a vacant former convenience store. Staff is unaware of any past use on the property other than what is described.
- **Surrounding Zoning/Land Uses:** The subject site is located in an area of relatively consistent land uses of High-Density Commercial and related zonings (including C-3 and C-3-C) following along the Peachtree Road corridor also in the BeltLine Overlay District. These include a wide variety and scale of health related, commercial and residential uses including restaurants to the southwest, a convenience store and gas station to the immediate west and Piedmont Hospital to the northwest all across Peachtree Road. Along Peachtree Road to the immediate south is a drive-thru restaurant and dry cleaners while to the immediate north is multi-tenant commercial building with multiple restaurants and retailers as well as a stand-alone convenience store/pharmacy. The immediate east of the site is zoned R-4 with the single-family detached residential uses.
- **Transportation System:** Peachtree Road is known as US-19 and GA-9 and is classified as arterial street. Collier Road to the west is classified as a collector street. All other streets in the immediate vicinity are classified as local streets. Sidewalks are currently provided along Peachtree Road and are regularly bisected by large curbcuts. MARTA bus #110 follows along Peachtree Road and has a bus stop at the front of the site.

PROPOSAL:

An Ordinance to rezone from the C-3 (Commercial Residential) and C-3-C (Commercial Residential-Conditional) to the C-3-C (Commercial Residential-Conditional) for property located at 1875, 1891, 1895 and 1901 Peachtree Road, N.E. in which to develop a seven (7) story medical office building with ground floor retail/restaurant and structured parking. The building would be 145,189 s.f. medical office and 15,514 s.f. retail and restaurant uses with a combination of an existing surface lot and new parking structure with a sum of 576 parking spaces. Also, landscaping buffers would be maintained and enhanced in the east (rear) portion of the site. The existing Chick-fil-A restaurant will be incorporated into the first level of the proposed building and will continue to utilize the existing legal non-conforming surface parking lot behind the restaurant.

Development Specifications:

Gross Land Area:	161,075 s.f. (3.697 acres)
Net Lot Area:	141,455 s.f. (3.247 acres)
Non-residential F.A.R. Allowed:	5.0 (707,275 s.f.)
Non-residential F.A.R. Proposed:	1.14 (160,603 s.f.)
Building Height Max Allowed:	225 feet (minus transitional height requirements)
Building Height Proposed:	Max 100 feet fronting Peachtree Road (8 stories)
Setbacks Required:	Street Fronting (from Peachtree): 20' from curb Side/Rear Yards (other than Transitional): 0' Transitional Yards: 20'
Setbacks Proposed:	Peachtree: Min. 20' from curb; Side Yards (other than Transitional): Min. 15' Transitional (Rear) Yards: Min. 30' unless existing
Parking Required:	575 auto spaces; 40 bicycle spaces
Parking Proposed:	526 auto spaces; bicycle spaces not indicated
Loading Required:	3 - 12' x 35'spaces
Loading Proposed:	3 - 12' x 35'spaces

CONCLUSIONS:

(1) Compatibility with comprehensive development plan (CDP); timing of development:

Since the proposed development is consistent with the existing high-density density commercial land use designation and only a change of conditions is being sought, no CDP land use changes are proposed. There are no known public projects or programs with which the timing of the project would conflict.

(2) Availability of and effect of public facilities and services; referral to other agencies:

The existing use of the site and surrounding uses indicate there are public facilities and services available to the subject property. Further, there has been no indication from review agencies and departments that there would not be adequate public facilities and services at the subject location for the site's redevelopment. Traffic would be expected to be improved with internal traffic flow improvements including reducing the number of existing curbcuts on-site.

(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:

The site is currently zoned for C-3 and thus without conditions is entitled to over 700,000 s.f. commercial uses. This proposal is reasonably positioned to allow for such uses including the new medical office building with ground-floor retail and restaurant uses in that it is located immediately adjacent to medium and high density institutional, office, retail, restaurant and other commercial development along Peachtree Road corridor and especially with its adjacency with Piedmont Hospital. Staff is of the opinion that the proposed development is not expected to negatively impact the balance of land uses in the surrounding area.

- (4) **Effect on character of the neighborhood:** Much attention has been taken to redevelop this property in concert with the Brookwood Hills neighborhood in order to keep the building at a reasonable scale including stepping down the height eastward while also providing significant building screening and landscape buffers at a minimum depth of 30 feet. The applicant has indicated their intent to remediate expected environmental issues and improve existing runoff issues. Therefore, Staff is of the opinion that these improvements will keep the character of the neighborhood generally unharmed.
- (5) **Suitability of proposed land use:** Given the proposal for the site is at the low end of the current land use designation of High Density Commercial and adjacent to Piedmont Hospital along Peachtree Road, Staff is of the opinion that the existing land designation is reasonable and no land use change is warranted for this proposed change of conditions.
- (6) **Effect on adjacent property:** The proposed redevelopment of the site is not expected to negatively impact any adjacent and surrounding properties by providing predominately medical office uses. Although this proposal is at a much higher density than what currently exists, the project would meet the transitional height plane requirements and be slightly lesser in scale to a number of developments to the north and south along the Peachtree Road corridor. Moreover, the building appears to be proposed at a reasonable scale while stepping down to the east toward the Brookwood Hills neighborhood while simultaneously providing significant building screening and minimum 30' wide landscape buffers adjacent to the single-family residential uses to the east. The applicant has further indicated their intent to remediate expected environmental issues and improve existing runoff issues. In addition, streetscape and pedestrian elements including wider consistent sidewalks and consolidated curbcuts along Peachtree Road would only expect to have a positive effect on adjacent properties.
- (7) **Economic use of current zoning:** As currently zoned and used, the property has certain economic value; however, the applicant's proposal to redevelop the site as a single parcel with predominately medical office uses and under new conditions would likely increase the economic value of the property.
- (8) **Tree Preservation:** The applicant has indicated their intent to comply with the policies of the City of Atlanta Tree Ordinance.

STAFF RECOMMENDATION: APPROVAL, conditioned upon the following:

1. Site Plans: The site shall be developed in concept with the attached site plans prepared by Rule, Joy, Trammell & Rubio and stamped received by the Office of Planning on December 6, 2013. If such site plan and landscape plan are not consistent, the landscape plan shall prevail to the extent of said differences.
2. Landscaping: shall be provided in concept with the landscape plan prepared by High Grove Design Group as shown as Exhibit "A". It is further noted that no stormwater detention or detention facilities shall be located on R-4 property. Note: storm water detention and detention facilities shall not interfere or damage plantings shown on said landscape plan. Also, the Developer shall be responsible for all on-site landscape maintenance. This maintenance shall include the responsibility of removing and replacing all on-site and boundary trees that die on or before December 31, 2017. Identification of such dead trees shall be documented by a certified arborist with such removal and replacement to occur within 90 days of such documentation.
3. Exterior Building Elevations (including parking deck): shall be completed in concept with the Elevations/Sections prepared by Rule, Joy, Trammell & Rubio as shown as Exhibit "B". The maximum building height of shall not exceed 100 feet (excluding parapets, architectural elements and fire stairs) measured from grade at the Peachtree Road Right-of-Way. If such exterior building elevations and landscape plan are not consistent, the landscape plan shall prevail to the extent of said differences.
4. Lighting: All exterior lighting on the Site shall be shielded to prevent light spillage onto adjacent properties by providing cutoff luminaries that have a maximum 90 degree illumination. All exterior lighting outside the Parking Structure visible from the Brookwood Hills neighborhood shall be reviewed and approved in writing by the President of Brookwood Hills. Interior lights along the eastern façade of the Building shall be controlled by motion detectors programmed to extinguish such lights between 10:00 pm and 6:00 am each day other than as necessary for cleaning and maintenance work or use by tenants of such offices. Automobiles within the parking structure shall be screened from views from the east.
5. Uses: The street facing sidewalk-level uses are restricted to retail, restaurant, office and accessory parking uses except that a 24 hour pharmacy shall be prohibited.
6. Fencing: All existing fencing shall be removed and a new 6 to 8 foot high opaque security fence shall be erected as specified on the landscape plan. Said fence shall provide one locked security gate and be of a wood cedar construction with a jagged top substantially matching the existing fence located at 40 Montclair Drive. The fence design in accordance with this paragraph shall be approved by the Brookwood Hills President in writing prior to permitting or erection.
7. Traffic Signage: A "right turn only" sign shall will be placed at the northern egress drive onto Peachtree Road. Also, internal directional signs shall be placed to direct exiting traffic to the Collier Road intersection.
8. Impact Fee Request: The developer shall provide written support to request that all traffic impact fees collected in association with this development to be allocated for improvements to the intersection at Peachtree Road/Collier Road with any remaining balance to be held in an account to be used for traffic improvements located within the neighborhoods constituting the Brookwood Alliance.
9. Construction: There shall be no construction work before 7:00 am nor after 7:00 pm on weekdays and before 9:00 am nor after 5:00 pm on Saturdays and on Sunday and/or state and

federal holidays. Also, no construction related vehicles shall park on any neighborhood streets in the Brookwood Hills neighborhood.

EXHIBIT "A"
Landscape Plan

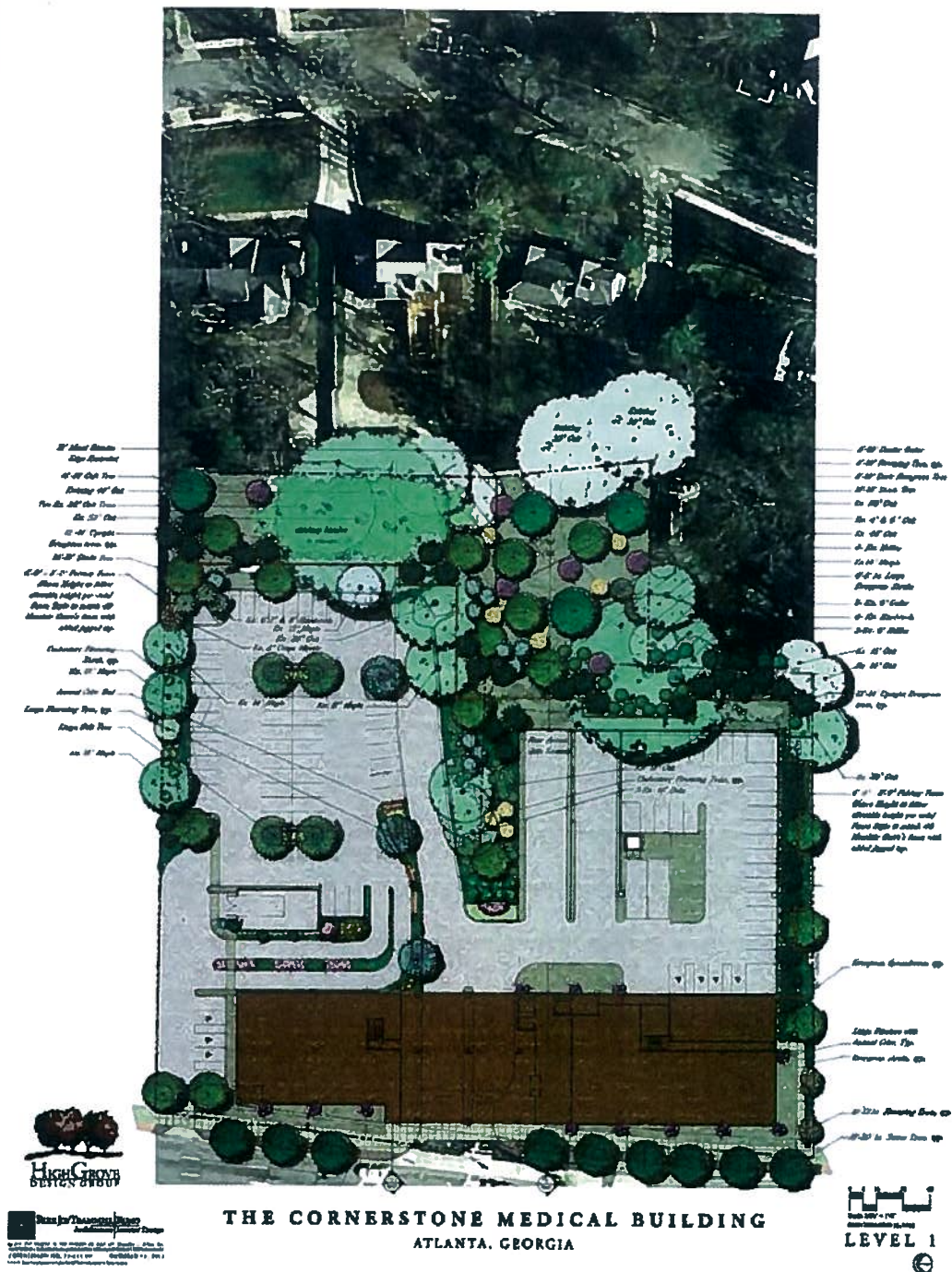


EXHIBIT "B"
Elevations / Sections



Barthelme, Burt, Architects, Inc.
Architects
100 Peachtree Street, N.E.
Atlanta, Georgia 30309
Phone: (404) 525-1234
Fax: (404) 525-1235
www.barthelmeburt.com

THE CORNERSTONE MEDICAL BUILDING
ATLANTA, GEORGIA

PEACHTREE ROAD ELEVATION



REAR ELEVATION

THE CORNERSTONE MEDICAL BUILDING
ATLANTA, GEORGIA



HKS
ARCHITECTS
100 Peachtree Street, N.E.
Atlanta, Georgia 30309
404.521.1000
www.hks.com

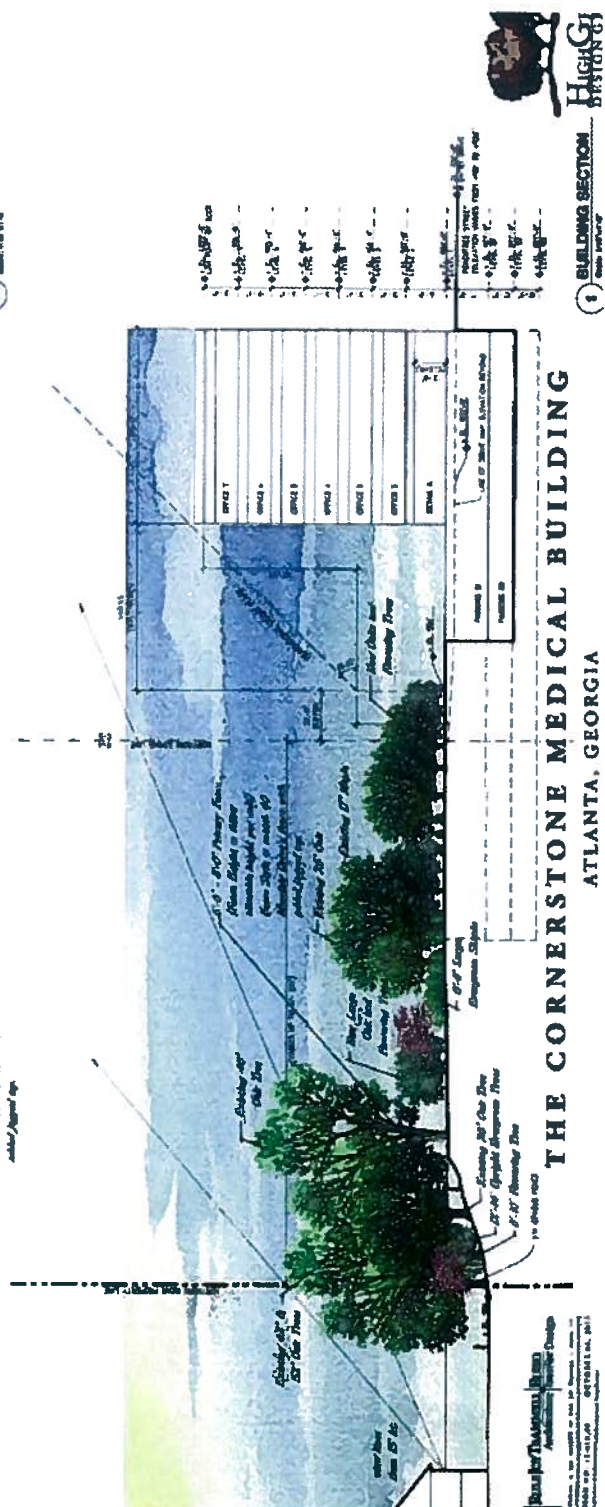
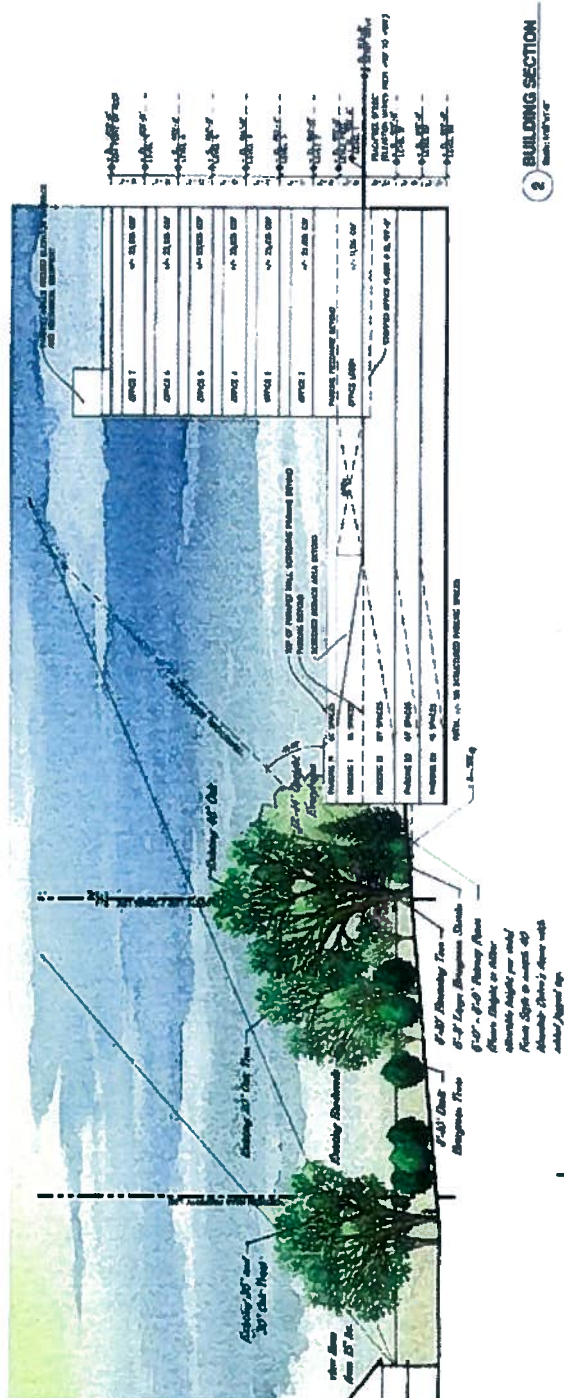


REAR ELEVATION

THE CORNERSTONE MEDICAL CENTER
ATLANTA, GEORGIA



Run for Tomorrow, Runo
Architectural Services Division



cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

M. KASIM REED
MAYOR


DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 - ATLANTA, GEORGIA 30303-0308
404-330-6145 - FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-13-35 for 2140 Peachtree Road, N.W.

DATE: December 12, 2013 (*deferred November 14, 2013*)

An Ordinance to rezone from the C-3-C/BL (Commercial Residential-Conditional/Beltline Overlay) District and C-3/BL (Commercial Residential/Beltline Overlay) District to the C-3-C/BL (Commercial Residential-Conditional/Beltline Overlay) District for property located at **(a portion of) 2140 PEACHTREE ROAD, N.W.**

The applicant has requested an additional 30-day deferral in order to meet with the NPU.

STAFF RECOMMENDATION: 30-DAY DEFERRAL-JANUARY 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov


KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director
Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-13-36 for 961 and 973 DeSoto Street

DATE: December 12, 2013

An Ordinance to rezone from the SPI-11 SA6/BL (Special Public Interest District: Vine City and Ashby Station Subarea 6/Beltline Overlay) District to SPI-11 SA8/BL (Special Public Interest District: Vine City and Ashby Station Subarea 8/Beltline Overlay) District.

The applicant needs additional time to meet and discuss the project with the affected neighborhood, and reappear before their NPU, and has requested a deferral.

STAFF RECOMMENDATION: 90-DAY DEFERRAL-MARCH 2014

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov


KASIM REED
MAYOR

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Bureau of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: **Z-13-37 for 1412 Carroll Drive, N.W.**

DATE: December 12, 2013

An application to rezone property from the **I-2 (Heavy Industrial)** zoning district, to **R-4A (Single Family Residential)** zoning district for the purposes of creating **3 single-family residential lots**.

FINDINGS OF FACT:

- **Property location.** The subject property is located on the south side of Carroll Drive, and it has 150 ft of street frontage. It is situated in the Hills Park neighborhood of NPU-D and within Council District 9.
- **Property size and physical features.** The subject property is in a shape of a rectangle, having 150 ft of frontage along Carroll Drive, a depth of about 150 ft and a total acreage of 0.517 ac. There is an existing single family detached house that is proposed for demolition. Existing house is placed in the middle of the site with vacant land on either side of it. Topography of the site varies from a relatively flat area in the front, to a gentle down slope in the second half of the lot. There are some mature trees in the rear of the site.
- **CDP land use map designation:** Future land use maps show a designation of Medium Density Residential.
- **Current/past use of property:** Historically, the property has been improved with the existing single family detached house which is currently used for storage purposes. Staff is unaware of any previous use on the property.

- **Surrounding zoning/land use:** The subject property is located in the middle of a large area zoned I-2 which borders to the west another industrial area zoned I-1 along Marietta Boulevard. Land use maps indicate this site within a Medium Density Residential area.
- **Transportation system:** Carroll Drive is categorized as a local street. There is no public transportation available in the area.

PROPOSAL:

The application seeks to rezone the site to the R-4A zoning district in order to allow for the development of three single family detached houses.

CONCLUSIONS:

- **Compatibility with comprehensive development plan (CDP); timing of development:** The comprehensive development plan designates the subject property as Medium Density Residential, therefore no amendment to the 15-year land use map would be required. There are no public projects/programs to conflict with the proposed timing of development.
- **Availability of and effect of public facilities and services; referral to other agencies:** There has been no indication from reviewing agencies that there would not be adequate public utilities/services at the subject location. There is existing public sanitary sewer in Carroll Drive. The capacity of the sanitary sewer system will be determined by the Department of Watershed Management as well as any required improvements for the sewer connection.
- **Availability of other land suitable for proposed use; environmental effect on balance of land uses:** The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. There is no negative impact on the balance of land uses.
- **Effect on character of the neighborhood:** The subject site is located on a short street that has land developed with 19 single family houses and 4 two family duplexes. The proposed re-zoning would not have a negative impact on the neighborhood's character.
- **Suitability of proposed land use:** A change in the 15-year land use map is not required.
- **Effect on adjacent property:** The proposed re-zoning would not have a negative impact on adjacent properties. The proposed rezoning will be more consistent with existing established single family homes.
- **Economic use of current zoning:** The subject property has economic use as currently zoned. However, the property would gain an even higher economic use due to an increase in density (number of lots would increase by two).

- **Tree Preservation:** A number of trees would need to be removed in order to develop the proposed lots.

STAFF RECOMMENDATION: APPROVAL CONDITIONAL upon the following:

1. New sidewalks shall be installed along the entire property frontage, before issuance of a building permit. All new sidewalks, ramps, curb and gutter and driveway aprons shall be built to current American with Disabilities Act and City of Atlanta standards.
2. All work to be undertaken by the applicant within the City of Atlanta right-of-way shall be permitted by the Department of Public Works prior to construction.
3. The development of the property shall be subject to all City of Atlanta development regulations including but not limited to, the Site Development Department, Fire Engineer as well as City Tree Ordinance.
4. Subject to approved re-plat (REP-13-119) approved by Office of Planning on December 2, 2013 and stamped received by the Office of Planning on November 4, 2013.
5. Development of the three lots shall be subject to the requirements of R-4A zoning district.

cc: James Shelby, Commissioner, DPCD



CITY OF ATLANTA

KASIM REED
MAYOR

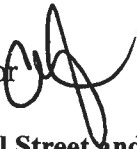
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: Zoning Review Board

FROM: Charletta Wilson Jacks, Zoning Administrator 

SUBJECT: Z-13-17 for 40 and 46 Boulevard, 25-39 Daniel Street and 492 and 496 Gartrell Street

DATE: December 12, 2013 *(Deferred July 11, August 8, September 12 and November 14, 2013)*

The applicant seeks to rezone property from the **C-2-C (Commercial Service-Conditional)** and **R-5 (Two-Family Residential)** districts to the **C-2-C (Commercial Service-Conditional)** district to enable the development of office buildings with associated parking.

FINDINGS OF FACT:

- property location: The subject property fronts approximately 166 feet on the north side of Gartrell Street, approximately 256 feet on the west side of Daniel Street and approximately 301 feet on the east side of Boulevard in the Old Fourth Ward neighborhood of NPU-M, Council District 2. The property is also within the BeltLine Overlay District.
- property size and physical features: The subject property of approximately 1.36 acres is developed with two residential structures in varying degrees of disrepair fronting on Daniel Street. A small commercial building is located in the southwest corner of the site and operates as a convenience store. This building and parcel are not included in the request for rezoning. The topography is relatively level throughout the parcels.
- CDP land use map designation: The eastern area of the property along Daniel Street has a land use designation of Low Density Residential (9-16 units per acre). The southwest corner of the site has a land use of Medium Density Residential (0-16 units per acre) and the northwest area of the site has a land use of Mixed Use.
- current/past use of property: Staff is unaware of any previous use on the property other than the existing single family dwellings and small convenience store. In 2001 the northwest area of the site was zoned from R-5 to C-2-C to allow for a mixed use development and conditioned on a specific site plan.
- surrounding zoning/land uses:
 - Property adjacent on the north is zoned HC-20C SA5 (Martin Luther King, Jr. Landmark-Edgewood Commercial Corridor) and developed with commercial uses and some vacant parcels;

- East, across Daniel Street, the properties are zoned RG-3-C (Residential General-Sector 3-Conditional) and R-5 (Two Family Residential) and developed with residential uses;
 - South, across Gartrell Street, the properties are zoned R-5 (Two Family Residential) and developed with residential uses and some vacant parcels; and,
 - West, across Boulevard the property is zoned C-3-C and developed with an apartment building with ground floor retail.
- transportation system: Boulevard and Edgewood Avenue, north of the site are classified as arterial streets. North of Edgewood, Boulevard becomes a collector. Decatur Street just south of the site is classified as an arterial. All other streets in the area are local streets. MARTA bus route 99 serves the area with connections to the Midtown, North Avenue and GA State transit stations. When completed, the Atlanta Streetcar system will be one block west of the subject property with two stations within walking distance of the site. Furthermore, north bound traffic from Decatur Street merges with Boulevard traffic at the intersection of Gartrell Street and Boulevard. Sidewalks are present in the area.

PROPOSAL

The revised site plan includes the development of five (5) three story buildings fronting the various streets, with associated parking in the rear. The applicant has proposed that the buildings will be used to accommodate space for the rectory and various other office needs of the church.

Two way ingress and egress is proposed off of Boulevard, Daniel Street and Gartrell Street. A bike rack to accommodate 6 bicycles is proposed next to the ingress/egress point off of Boulevard. A six foot high black chain link fence would be installed along the Boulevard frontage; northern most boundary and along the property line of the site adjacent to the existing single family home on Daniel Street. The site plan indicates the fence adjacent to the single family home would include black slats to create an opaque screen which is required by the zoning ordinance between residentially and commercially zoned property. No development is proposed for Tract H located at the southwest corner of Boulevard and Gartrell Street.

The applicant would need to request a special exception for parking based on the current plan to allow for a decrease from the minimum parking requirements.

CONCLUSIONS:

(1) Compatibility with comprehensive development plan (CDP); timing of development:

The subject property has multiple use designations, Low Density Residential (9-16 units per acre), Medium Density Residential (0-16 units per acre) and Mixed Use. Therefore an amendment to the 15-year land use map would be required to facilitate this proposal. The applicant has requested an amendment to the CDP Land Use map.

There are no public projects or programs with which the timing of the project would conflict.

(2) Availability of and effect of public facilities and services; referral to other agencies:

Since the area has been a long established neighborhood, water and sewage facilities serving the property are assumed to be adequate for the proposed surface parking lot.

The capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. During this review, tie-in to specific sewer lines would be determined, as well as any necessary improvements to the sewer line that would lie within boundaries of the development site.

There has been no indication from review agencies and departments that there would not be

adequate public facilities and services at the subject location.

- (3) **Availability of other land suitable for proposed use; environmental effect on balance of land uses:** The zoning regulations indicate that this consideration is optional. The applicant has not presented any evidence that they own other land in the area that is suitable for this development. The most compatible land use for the proposed surface parking lot is Low Density Commercial.
- (4) **Effect on character of the neighborhood:** The proposed commercial buildings and associated parking lot are compatible with the adopted Old Fourth Ward Master Plan and the BeltLine Subarea 5 Master Plan.
- (5) **Suitability of proposed land use:** Low Density Commercial land use is suitable for the revised proposal.
- (6) **Effect on adjacent property:** The proposal as currently presented is not anticipated to have any negative impacts on the adjacent properties.
- (7) **Economic use of current zoning:** Based on the existing land uses and development patterns in the area the current zoning of the subject property has economic use.
- (8) **Tree Preservation:** The City of Atlanta's Tree Ordinance will govern the development of the site in regards to tree preservation.

STAFF RECOMMENDATION: APPROVAL conditioned upon the following:

1. A site plan similar to one entitled "Conceptual Master Plan for Rezoning 8 parcels on Boulevard SE, Gartrell St. & Daniel St." by Watts & Browning Engineers, Inc. dated 5/07/13 last revised 12/02/13 and stamped received by the Office of Planning December 3, 2013.
2. The proposed buildings shall have a minimum depth of 30 feet.
3. The proposed buildings along Daniel Street shall be primarily used for residential purposes.
4. Parking along Daniel Street and Gartrell Street shall be shielded from street view.
5. The proposed ingress and egress on Daniel Street shall be eliminated.
6. Tract H is not included in this rezoning proposal.
7. Parking shall only be developed concurrently with the construction of the proposed buildings.

c: James Shelby, Commissioner, DPC